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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 SHARYN L. POHLMAN,

12 Plaintiff,

13 v.

14 OFFICER JOSEPH TORRES, et al.,

15 Defendants.
16

Case No. CV 13-7628 JLS (SS)

ORDER ACCEPTING FINDINGS,

CONCLUSIONS AND

RECOMMENDATIONS OF UNITED

STATES MAGISTRATE JUDGE

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the
18 Second Amended Complaint in the above-captioned matter, all the
19 records and files herein, and the Second Report and
20 Recommendation of the United States Magistrate Judge. The time
21 for filing Objections to the Second Report and Recommendation has
22 passed and no Objections have been received. Accordingly, the
23 Court accepts and adopts the findings, conclusions and
24 recommendations of the Magistrate Judge.

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1 Accordingly, IT IS ORDERED THAT:

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3 1. Defendants' Motion to Dismiss the Second Amended
4 Complaint is GRANTED.

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6 2. Plaintiff's federal civil rights claims under 42 U.S.C.
7 § 1983 are DISMISSED WITH PREJUDICE for failure to state a claim
8 pursuant to Federal Rule of Civil Procedure 12(b)(6).

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10 3. Plaintiff's state law tort claims are DISMISSED WITHOUT
11 PREJUDICE, but without leave to amend.

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13 4. Defendants' Motion to Strike is DENIED.

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15 5. Plaintiff's Motion to Strike is DENIED.

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17 The Clerk shall serve copies of this Order by United States
18 mail on Plaintiff and on counsel for Defendants.

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20 DATED: May 22, 2015



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22 JOSEPHINE L. STATON
23 UNITED STATES DISTRICT JUDGE
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